

APPROVED 6-6-11
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, May 2, 2011 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

MEMBERS PRESENT:

James J. Giulietti, Chairman
Theresa Ranciato-Viele, Vice Chairman
Brian R. Cummings, Secretary
Douglas E. Roberts
Vern E. Carlson
Curtis Andrews, Sr., Alternate
Richard E. Wilson, Alternate
Edward M. Homa, Alternate

MEMBERS ABSENT: None

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Giulietti, Chairman, opened the meeting at 7:04 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Then he explained the procedure for the Public Hearings and asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that there were none.

8-24 REFERRAL:

1. #P11-13 Section 8-24 Referral - Application of the Town of North Haven for the replacement of playground equipment as well as drainage improvements to the playground area at the Clintonville Elementary School, 456 Clintonville Road.

Mr. Fredricksen, Land Use Administrator, further explained the 8-24 Referral to the Commission. The Commission asked questions and Mr. Fredricksen responded.

Mr. Giulietti asked for public comment. There was no public comment.

Mr. Carlson moved to approve the Section 8-24 Referral for the replacement of playground equipment as well as drainage improvements to the playground area at the Clintonville Elementary School, 456 Clintonville Road; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

PUBLIC HEARINGS:

Mr. Cummings read the call for the Public Hearing.

1. #P11-05S Excavation Permit Application (as authorized by Section 8.9.1) of Robert Neubig, Owner and Applicant, relative to 480 Valley Service Road, (Map 85, Lot 1). Plan Entitled: Proposed Grading, 480 Valley Service Road, North Haven, CT. Prepared by John Whitcomb, III, P.E., Dated 2/3/11. Scale 1" = 50'. IL-80 Zoning District.

Mr. Robert Neubig, owner and applicant of 480 Valley Service Road, continued presenting the application with a Plan of Operation to permit the excavation and removal of approximately 72,000 cubic yards of material to grade down and level off this 2.5 acre area for future development.

Mr. Giulietti asked for public comment.

There being no public comment, the Public Hearing was closed.

2. #P11-12 Zone Change Application of Barbara Marcati, Owner and Applicant, relative to 2 Maple Avenue, (Map 60, Lot 195. Plan Entitled: Maple on the Green, Proposed CA-20 Zoning District, 2 Maple Avenue, North Haven, CT. Dated March 8, 2011. R-20 Zoning District.

Ms. B.J. Morgan and Ms. Michelle Leona of 2 Maple Avenue presented the application to change the zone of this .69 acre property from a R-20 to a CA-20 Zoning District. The property is currently used for residential purposes. The Commission asked questions and Ms. Morgan and Ms. Barbara Marcati, owner, responded.

Mr. Giulietti asked for public comment:

Public comment:

1. John Reilly, 19 Shawmut Avenue, spoke in opposition to the application. He would like this area to stay residential and feels a commercial zone will increase traffic.
2. Richard Ardolino, 31 Shawmut Avenue, spoke in opposition to the application. He is concerned with increasing traffic. He submitted two petitions; Exhibits A & B.
3. John Pierpont, 101 Shawmut Avenue, spoke in opposition to the application. He is concerned with increasing traffic and asked why the owner is requesting this zone change.
4. Gary Dickinson, 105 Shawmut Avenue, spoke in opposition to the application. He is concerned with increasing traffic and having an access driveway off of Shawmut Avenue. He asked if this is a historical site and if there is special zoning for historical sites.
5. Cindy Testo, 134 Shawmut Avenue, has traffic concerns and asked what type of businesses could be proposed for this property.

6. John Lambert, 25 Trumbull Place, spoke in opposition to the application. He feels this application is considered spot zoning and the zone change would create a non-conforming lot. He stated that the owner gave no reason for the zone change and he is concerned with what type of business could be proposed for this site. He feels the center of town is a desirable residential district and would become less desirable if this property were to change to a commercial zone. He also has concerns with parking.
7. Gregg Fredericks, 67 Shawmut Avenue, spoke in opposition to the application. He feels a commercial zone is not appropriate for this area.
8. Joan Vaughn, 36 Shawmut Avenue, spoke in opposition to the application. She feels this is spot zoning and is concerned with increasing traffic and parking.

Ms. Morgan and Ms. Marcati responded to the public comment.

There being no further public comment. The Public Hearing was closed.

SITE PLANS:

The Commission elected to hear applications #P11-11 and #P11-11A together.

3. #P11-11 Site Plan Application of Pharmacia & Upjohn Company, LLC, Applicant/Owner, relative to 41 Stiles Lane, (Map 43, Lot 34). Plan Entitled: Pharmacia & Upjohn Company LLC, 41 Stiles Lane, North Haven, CT, In-Situ Thermal Remediation Pilot, Prepared by GeoDesign Inc., Dated 3/17/2011. Scale 1" = 100' IG-80 Zoning District.
4. #P11-11A CAM Application of Pharmacia & Upjohn Company, LLC, Applicant/Owner, relative to 41 Stiles Lane, (Map 43, Lot 34). Plan Entitled: Pharmacia & Upjohn Company LLC, 41 Stiles Lane, North Haven, CT, In-Situ Thermal Remediation Pilot, Prepared by GeoDesign Inc., Dated 3/17/2011. Scale 1" = 100'. IG-80 Zoning District.

Attorney John Parese presented the application to permit the installation and operation of equipment for an In-Situ Thermal Remediation pilot system and the installation of groundwater equalization tanks to treat contaminants on this site. This is not a development application. The CAM Application is required because the eastern portion of the site lies within the Coastal Boundary. On April 27, 2011, the Inland Wetlands Commission approved a positive Site Plan Referral (#I11-09).

Mr. Gary Herta further explained the operation of the In-Situ Thermal Remediation pilot system and groundwater equalization tanks. The Commission asked questions and Mr. Herta, Mr. White of Golder Associates and Attorney Parese responded. Mr. Russ Downey of Pfizer Inc. also addressed the Commission.

BREAK: 9:15 – 9:23 PM

DELIBERATION SESSION:

Mr. Carlson moved to go into deliberations; Mrs. Ranciato-Viele seconded the motion. All were in favor.

PUBLIC HEARINGS:

1. P11-05S Excavation Permit Application (as authorized by Section 8.9.1) of Robert Neubig, Owner and Applicant, relative to 480 Valley Service Road, (Map 85, Lot 1). Plan Entitled: Proposed Grading.

Mr. Carlson moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

The application was approved with conditions.

2. #P11-12 Zone Change Application of Barbara Marcati, Owner and Applicant, relative to 2 Maple Avenue, (Map 60, Lot 195. Plan Entitled: Maple on the Green, Proposed CA-20 Zoning District.

Mrs. Ranciato-Viele moved to approve the application; Mr. Carlson seconded the motion. The Commission voted as follows:

Giulietti – nay Ranciato-Viele – nay Cummings – nay Roberts – nay Carlson – nay

The Commission gave the following reasons for the denial:

1. Changing the Zoning District of this property would be considered “spot zoning” which is not permitted by law.
2. The Commission is not inclined to impose such a substantial change to this residentially zoned property.

SITE PLANS:

3. #P11-11 Site Plan Application of Pharmacia & Upjohn Company, LLC, Applicant/Owner, relative to 41 Stiles Lane.

Mr. Carlson moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – nay Carlson – aye

The application was approved with conditions.

4. #P11-11A CAM Application of Pharmacia & Upjohn Company, LLC, Applicant/Owner, relative to 41 Stiles Lane.

Mr. Cummings moved to approve the application; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – nay Carlson – aye

The application was approved with conditions.

CHANGE OF USE: None

OTHER: Planning Forum for Special Meeting, May 17, 2011

INFORMAL PRESENTATION: None

EXTENSIONS: None

BOND RELEASES & REDUCTIONS: None

CHANGE OF USE: None

CORRESPONDENCE: - Connecticut Federation of Planning and Zoning Agencies,
Quarterly Newsletter, Spring 2011

MINUTES:

April 4, 2011

Mr. Roberts moved to approve the minutes of the April 4, 2011 meeting;
Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Ranciato-Viele – aye Roberts – aye Carlson –aye Wilson – aye

April 11, 2011

Mr. Roberts moved to approve the minutes of the April 11, 2011 meeting;
Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson –aye

ADJOURN:

There being no further business, Mr. Carlson moved to adjourn; Mrs. Ranciato-Viele seconded the motion. The meeting was adjourned at 9:42 PM.